

In the United States Court of Federal Claims

No. 19-460

Filed: September 20, 2019

SHARON M. MCCREA,

Plaintiff,

v.

THE UNITED STATES,

Defendant.

ORDER

On March 18, 2019, Sharon McCrea, a *pro se* plaintiff, filed her Complaint with this Court, and, on May 17, 2019, filed an amended complaint. On July 16, 2019, defendant filed its Motion to Dismiss pursuant to Rules 12(b)(1) and 12(b)(6) of the Rules of the Court of Federal Claims (“RCFC”). After Plaintiff failed to timely respond to defendant’s Motion to Dismiss, on August 22, 2019, the Court issued an Order giving plaintiff an additional 21 days to file her Response to defendant’s Motion to Dismiss. *See* ECF No. 14. In that Order, the Court warned that if plaintiff failed to file her Response to defendant’s Motion to Dismiss on or before the extended deadline—September 11, 2019—plaintiff’s Complaint would be dismissed without prejudice for failure to prosecute under RCFC 41(b). *Id.*

To date, the Court has not received plaintiff’s Response to defendant’s Motion to Dismiss. As such, the Court has no choice but to **DISMISS** plaintiff’s case without prejudice for failure to prosecute pursuant to RCFC 41(b). The Clerk is hereby directed to enter judgment consistent with this Order.

IT IS SO ORDERED.



Loren A. Smith, Senior Judge